

Appln. No. 10/789,615
Amendment dated August 15, 2005
Reply to Office Action mailed May 13, 2005

Amendments to the Specification:

Please replace the paragraph beginning on page 4, line 24, with the following rewritten paragraph (deleted text being struck through and added text being underlined):

With reference now to the drawings, and in particular to Figures 1 through 3 thereof, a new ear adornment embodying the principles and concepts of the present invention ~~and generally designated by the reference numeral 10~~ will be described.

Please replace the paragraph beginning on page 4, line 29, with the following rewritten paragraph (deleted text being struck through and added text being underlined):

As best illustrated in Figures 1 through 3, the ear adornment [[[10]]] generally comprises a frame member 12 being designed for selectively engaging the ear of the user.

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This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims (deleted text being struck through and added text being underlined):

1. (Currently Amended) An ear adornment for adorning an ear of a user, the ear adornment comprising:

a frame member ~~being adapted~~ for selectively engaging the ear of the user; and

a sleeve member being selectively removably coupled to said frame member such that said sleeve member ~~is adapted~~ for being positioned adjacent the ear of the user when the frame member engages the ear of the user, ~~said sleeve member being adapted for providing to provide~~ the user with a unique appearance when said sleeve member is coupled to said frame member;

wherein said frame member comprises a pair of substantially U-shaped engaging portions each having a throat for receiving an upper periphery of the ear of the user, the engaging portions each having ends that extend over the ear when said frame member is engaged with the ear, said frame member further comprising a pair of alignment portions extending between corresponding said ends of the engaging portions to join said pair of engaging portions together such that said pair of engaging members and said pair of alignment members form a continuous loop.

2. (Currently Amended) The ear adornment as set forth in claim 1, ~~further comprising: said frame member comprising a pair of engaging portions, each of said engaging portions being adapted for extending around a portion of the ear of the user such that each of said engaging portions extends from a front of the ear to a rear of the ear of the user, said sleeve member being couplable to said engaging portions of said frame member such that said sleeve member extends between said engaging portions~~

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wherein said sleeve member forms a sleeve with an upper open end and a lower open end and an interior therebetween, the upper open end of said pocket removably receiving a portion of each of said engaging members.

3. (Currently Amended) The ear adornment as set forth in claim 2, ~~further comprising: 1, wherein~~

each of said engaging portions ~~comprising~~ comprises a resiliently flexible material, ~~said resiliently flexible material being adapted for~~ permitting each of said engaging portions to substantially conform to a general shape of the ear when each of said engaging portions extends from ~~the a front to the a back of the ear.~~

4. (Cancelled)

5. (Currently Amended) The ear adornment as set forth in claim ~~[[[4]]] 1,~~ further comprising:

said frame member comprising a pair of magnetic members, one of said magnetic members being coupled to one of said alignment members such that the other one of said magnetic members is coupled to the other one of said alignment members, one of said magnetic members magnetically attracting the other one of said magnetic members such that said magnetic members gently compress the ear between said magnetic members to maintain positioning of said frame member when said frame member engages the ear of the user.

6. (Currently Amended) The ear adornment as set forth in claim 1, further comprising:

said sleeve member comprising a perimeter wall, said perimeter wall defining a receiving bore extending through said sleeve member, ~~said receiving bore selectively receiving at least a portion of said frame member such that said sleeve member is selectively coupled to said frame member,~~

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~~said sleeve member being adapted for being displayed on the ear of the user when said frame member engages the ear of the user~~ said perimeter wall including a pair of opposed wall portions, each of said opposed wall portions having a protrusion, each of said protrusions extending in opposition to said protrusion on the opposite one of said opposed wall portions.

7. (Original) The ear adornment as set forth in claim 6, further comprising:

said sleeve member comprising a flexible material, said flexible material permitting said sleeve member to conform to the portion of said frame member received by said sleeve member when said sleeve member receives said frame member.

8. (Original) The ear adornment as set forth in claim 1, further comprising:

an adornment member being selectively coupled to said sleeve member, said adornment member being suspended from said frame member when said sleeve member is coupled to said frame member, said adornment member being adapted for adorning the ear of the user when said frame member engages the ear of the user.

9. (Cancelled)

10. (New) The ear adornment as set forth in claim 1, wherein said throat formed by said engaging portions has a substantially uniform width and extends along a single axis.

11. (New) The ear adornment as set forth in claim 1, wherein said sleeve member forms a sleeve with an upper open end and a lower open end and an interior therebetween, the upper open end of said pocket removably

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receiving one of said alignment members and a portion of each of said engaging members;

wherein each of said engaging portions comprises a resiliently flexible material for permitting each of said engaging portions to substantially conform to a general shape of the ear when each of said engaging portions extends from a front to a back of the ear;

wherein said frame member comprises a pair of magnetic members, one of said magnetic members being coupled to one of said alignment members such that the other one of said magnetic members is coupled to the other one of said alignment members, one of said magnetic members magnetically attracting the other one of said magnetic members such that said magnetic members gently compress the ear between said magnetic members to maintain positioning of said frame member when said frame member engages the ear of the user;

wherein said sleeve member comprising a perimeter wall, said perimeter wall defining a receiving bore extending through said sleeve member, said perimeter wall including a pair of opposed wall portions, each of said opposed wall portions having a protrusion, each of said protrusions extending in opposition to said protrusion on the opposite one of said opposed wall portions;

wherein said sleeve member comprises a flexible material, said flexible material permitting said sleeve member to conform to the portion of said frame member received by said sleeve member when said sleeve member receives said frame member;

an adornment member being selectively coupled to said sleeve member, said adornment member being suspended from said frame member when said sleeve member is coupled to said frame member, said adornment member being adapted for adorning the ear of the user when said frame member engages the ear of the user; and

wherein said throat formed by said engaging portions has a substantially uniform width and extends along a single axis.